

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.20202 of 2007

Between:

P.Jangaiah and others.

... Petitioners

and

The State of A.P., and others.

... Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.20202 of 2007

ORDER:

It is the case of the petitioners that the 3rd respondent granted DKT pattas in their favour for the land admeasuring Ac.1-60 cents, Ac.1-65 cents, Ac.1-65 cents, Ac.1-60 cents, Ac.1-55 cents and Ac.1-55 cents respectively in Sy.Nos.245/3C, 246/1A, 246/1B, 246/1C, 245/3A and 245/3B, situated at Chindepalli Village, Yerpedu Mandal, Chittoor District, through proceedings, dated 08-02-1992. It is stated that they are cultivating the said lands from the date of assignment till today. While so, the said land is sought to be allotted to some other assignees stating that the pattas have been granted in favour of other assignees, without cancelling the assignments made in favour of the petitioners. It is further stated that the petitioners made a representation before the 2nd respondent on 25-11-2006. Pending disposal of the said representation, the respondents are taking steps to dispossess the petitioners from the land in question.

On instructions, learned Government Pleader for Revenue appearing for the respondents produced a letter in L.Dis.A/490/06, dated 28-11-2006, addressed by the Mandal Revenue Officer, Yerpedu, to the Collector, Chittoor, stating that as per telephonic instructions of the Collector, Chittoor, dated 26-11-2006, the Mandal Revenue Officer, Yerpedu, sent a detailed report with regard to the assignment of the land in Sy.Nos.245 and 246 of

Chindepalli Village, Yerpedu Mandal, Chittoor District, stating the said land was assigned in favour of the petitioners in the year 1992 and on noticing that the assignees violated the conditions of DKT rules, the then Mandal Revenue Officer, Yerpedu, cancelled the DKT pattas granted in favour of the petitioners, vide proceedings in D.Dis.No.602/93, dated 05-09-1993, and resumed the land to the Government custody and the same was assigned in favour of other assignees and DKT pattas also distributed to the said assignees during the III phase land distribution.

Admittedly, the above instructions do not contain anything with regard to the issuance of notice to the petitioners and with regard to the cancellation of the assignments made in favour of the petitioners by following due process of law. Therefore, it appears that there is some force in the contention of the learned counsel appearing for the petitioners. But, however, as the petitioners made a representation, dated 25-11-2006, before the 2nd respondent, I am of the opinion that it is just and proper to direct the 2nd respondent to consider and dispose of the said representation in accordance with law.

Accordingly, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation of the petitioners, dated 25-11-2006, pursuant to the report submitted by the 3rd respondent in L.Dis.No.A/490/06, dated 28-11-2006, and pass appropriate orders in accordance with law, after giving reasonable opportunity to all the concerned. Pending disposal of the representation, status-quo obtaining as on today shall be maintained. There shall be no order as to costs.

26-09-2007

Prv